

SEATTLE POLICE DEPARTMENT MEMORANDUM

TO: Chain of Command
Unit B249D

DATE: March 12, 2015

FROM: Carolyn Boies Nitta
Assistant City Attorney / Employment Counsel to SPD

SUBJECT: Final Disposition—Peter Leutz, OPA 14-0377, OPA 14-0544, OPA 14-0842

Attached are the Cover Letter, Final DAR, and Termination Order for Officer Leutz. The Cover Letter, Final DAR, and Termination Order need to be given to Officer Leutz via his supervisory chain. Electronic copies have been or will be provided to all recipients copied on the cover letter.

Please have Officer Leutz sign in the appropriate place below.

My signature below indicates that I have received the Letter, Proposed DAR, and Administrative Reassignment to Home Orders in OPA 14-0377, OPA 14-0544, OPA 14-0842.

Peter Leutz, #6876

Date

After providing Officer Leutz with the documents, please complete the information below as appropriate.

Served by: _____ Date: _____
Rank/Printed Name

Comments (In Needed): _____

Signature: _____

**On the day of service, scan the completed, signed receipt and
send it to SPD_EmploymentCounsel@seattle.gov
Original receipt should be returned within 7 days to SPD Legal Unit (JC-05-01)**



City of Seattle

Seattle Police Department

March 12, 2015

Officer Peter Leutz
Hand-delivered

RE: OPA 14-0377, OPA 14-0544, OPA 14-0842

Dear Officer Peter Leutz:

I want to thank you and your representatives for meeting with the Chief of Police to discuss the recommended disciplinary actions arising from the investigation of OPA 14-0377, OPA 14-0544, OPA 14-0842. Based upon the information presented at the meeting, and a review of relevant materials, Chief O'Toole has **sustained** the allegation of Violation of SPD Policy & Procedure Manual Section(s):

- **5.001 (9) Employees Shall Strive to be Professional at all Times [policy in effect as of 07/16/2014]**
- **5.001 (12) Employees Shall Not Use Their Position or Authority for Personal Gain [policy in effect as of 07/16/2014]**

A description of the sustained allegation of misconduct and the final disciplinary action are set forth in the enclosed Disciplinary Action Report.

You may appeal this disciplinary decision to the Public Safety Civil Service Commission by filing a Notice of Appeal within 10 days of receipt of this letter. The Disciplinary Review Board may be an alternative appeal process. Consult your contract or a Guild representative to determine availability, notice period, and details of the process.

If you have any questions regarding this notice, please feel free to contact me.

Sincerely,

Kathleen M. O'Toole
Chief of Police

Carolyn Boies Nitta
Carolyn Boies Nitta

Assistant City Attorney / Employment Counsel to SPD

Enclosure

CC:

Kathleen M. O'Toole, Chief of Police	Mike Fields, HR Director
Carmen Best, Deputy Chief	Pierce Murphy, Director of OPA
Pierre Davis, Captain	Ron Smith, SPOG President

Seattle Police Department**DISCIPLINARY ACTION REPORT**

FILE NUMBER

OPA Case 2014-0377**OPA Case 2014-0544****OPA Case 2014-0842**

RANK/TITLE

Officer

NAME

Peter Leutz

SERIAL NUMBER

6876

UNIT

B249D

SUSTAINED ALLEGATION(S):

Violation of Seattle Police Department Policy & Procedure Manual Sections:

- **5.001 (9) Employees Shall Strive to be Professional at all Times [policy in effect as of 07/16/2014]**
- **5.001 (12) Employees Shall Not Use Their Position or Authority for Personal Gain [policy in effect as of 07/16/2014]**

Specification:

This discipline is based on a pattern of repeated, and escalating, misconduct determined through three separate OPA investigations. In 2014, you came into contact with three female members of the public through legitimate police interactions on July 17, August 4, and August 10. Within days of the July 17 contact, hours of the August 4 contact, and one hour of the August 10 contact, you used information received through the course of your police duties to initiate unnecessary, unprofessional and highly inappropriate additional communications with the women. You called or texted the first two women, you drove – uninvited - in your squad car to the home of the third to pursue a romantic relationship. Department policy prohibits employees from using their position to further their personal interests. Department policy also prohibits behavior that undermines public trust in the department or the officer. Your repeated violations of these policies are outlined in detail below.

OPA 2014-0842: On July 17th you responded when a woman reported her bike had been stolen. She provided her phone number in the police report. You then contacted her via text, which she ignored, and then called her to ask her to get together socially. She declined. She did not file an OPA complaint. However, after receiving two complaints from other women about your behavior, OPA reviewed call logs from July and August 2014 to determine if there were any other discoverable instances of misconduct toward a female you met in the course of your duties. After identifying 14 possible victims, a phone survey discovered this interaction. When contacted by OPA, this woman expressed how troubled she was that providing her number for police business had led to unwelcome social advances from a police officer.

OPA 2014-0377: On August 4th you responded to a domestic disturbance call at a private residence. A woman and her boyfriend had been arguing; she reported that she had spent the night outside their apartment waiting to be let back in to see their newborn child. It was determined on scene that no crime had occurred, although you did leave a DV pamphlet with the woman. Soon after you left, you called the woman on your personal cell using contact information gained when responding to the 911 call. You asked her to coffee during that call. Over the next three days, you sent multiple text messages to the woman; she responded to some of them. OPA received an incomplete record of text messages but messages which you acknowledge you wrote indicated a highly unprofessional interaction. For example, on the day of the domestic disturbance, you texted the woman that she was “cute and sassy.” In other texts, you stated you wanted to “hug [her] and comfort” her and that you would like to have lunch or coffee together, all while repeatedly urging her to end her romantic relationship with her boyfriend. You indicated that your police experience with abusive relationships was prompting your suggestions. (“I see it ALOT.”)

OPA 2014-0544: On August 10th you performed a traffic stop on a different woman’s vehicle, gave her a

warning, and then drove to her house 1.3 miles away, uninvited, 40 minutes later for an admittedly purely personal interaction. Her address had been obtained as part of your official duties. You were in your patrol car; it was during your shift. You saw her and gave the woman your personal cell phone number, which you stated to OPA "had nothing to do with police work at all." The woman later reported to OPA that she contacted you at the prompting of a friend who stated that it would be good to have a police officer on her side.

You then sent at least 109 text messages to the woman over the next 39 days; it appears she sent far less in return. The vast majority of this exchange occurred after you were aware that the second woman had filed an OPA complaint against you for very similar behavior. In the text messages with the third woman, you compliment her looks, ask her "did u feel something when we locked eyes," and repeatedly request that you meet in person. One of those requests to meet came immediately after she told you she was separating from her husband and she might need help to "keep me safe." You responded by ignoring her stated safety concern, asked to see her socially and urged her to "say yes! Go for it...I am!" In multiple texts, you reference being a police officer or your police duties, often on occasions when she appears to be decreasing the level of contact with you or has told you she is not interested in you romantically. ("am I just some dumb ol' cop to you") Again, OPA had an incomplete exchange of text messages but you did not dispute the accuracy of the messages which it possessed.

Determination of the Chief:

The decision to end someone's employment is not a decision I take lightly. I considered your record of service with the department since joining in 2005 and that you had previously received discipline only once, a Written Reprimand in 2008. Many of your comments in the Loudermill were heartfelt. Unfortunately, the Loudermill left me more convinced, not less, that your separation from SPD employment was the only appropriate outcome here. Your claim that you were seeking social, but not romantic, relationships is both not credible and misses the point; either would be a problem under these circumstances. Your explanation that you were, essentially, burnt out at work was completely at odds with the nature of your misconduct. You repeatedly used the word "complacent" to describe your mistakes. This was not a problem of laziness on the job or of simply being a little too friendly in the workplace. **This was serious and repeated abuse of authority, and an unsettling pattern of behavior**, some of it directed at women who you knew from the outset, or learned early on, may have been especially vulnerable given turmoil in their personal lives. While I understand what it means to you personally to be a police officer, I was unconvinced that this serious misconduct would not be repeated.

You should never use information given to you as a police officer in order to pursue romantic relationships. This should have been clear to you from your first day on the job. The damage to the public trust in this department from this type of behavior cannot be overstated. You used your position as a police officer to make up reasons to resume contact with these women; the domestic disturbance report could have been completed without knowing the newborn child's date of birth, for example.

For the two women with whom you had extended text interactions, there were certain especially troubling aspects of the interactions. First, you repeatedly referenced being a police officer, often at the same time that it appeared the women were either cutting off or decreasing contact with you. Similarly, there was a repeated comingling of domestic violence counseling based on your police experience with the pursuit of a romantic relationship with these women. This is an extreme violation of public trust and misuse of your position as a police officer. You also ignored the power dynamics between an officer and a member of the public. For example, at the Loudermill, you reported that the first time you called one of the women (the one from the domestic disturbance call), you told her that *she* needed to tell *you* if your conduct with was crossing any lines.

Simply put, it is misconduct to ask the public to police the police; our officers should be able to behave professionally without having to be asked. One of these woman's discomfort with your advances highlights why they were so inappropriate. To OPA, she stated, officers "have all the information on you in every context [... officers are] not just an average person. You have access to a lot of things and it, it made me very uncomfortable."

You admitted to OPA that some of these interactions were "on a police level [...] really unprofessional." This conduct goes far beyond behaving in an overly familiar fashion; It was a fundamental violation of your role as a public servant. Your behavior should never undermine the public trust in this police service, yet you did just that with three different women in less than one month. I simply cannot allow this police service to be represented by an individual who committed this level of serious misconduct. I do not have sufficient trust in your judgment or faith in your future conduct to ever send you back into the field as a police officer.

Final Disposition

Termination of Employment

DATE

3/11/15

BY ORDER OF

Karen M. S. Sells

CHIEF OF POLICE

APPEAL OF FINAL DISPOSITION

POLICE OFFICERS: Public Safety Civil Service Commission

Employee must file written demand within ten (10) days of a suspension, demotion or discharge for a hearing to determine whether the decision to suspend, demote or discharge was made in good faith for cause. SMC 4.08.100

DISCIPLINARY REVIEW BOARD: For employees represented by SPOG, the Disciplinary Review Board (DRB) may be an alternative appeal process for suspensions, demotions, terminations, or transfers, identified by the City as disciplinary in nature. Consult your collective bargaining agreement or SPOG representative to determine eligibility, notice periods, and details of the process. The DRB is available as an alternative only, and not in addition to an appeal to the Public Safety Civil Service Commission.

CIVILIAN EMPLOYEES: Civil Service Commission

Effective April 15, 2013, before filing an appeal with the Civil Service Commission regarding suspension, demotion, or termination an employee must first go through the Employee Grievance Procedure provided by Personnel Rule 1.4. In order to comply with Rule 1.4, the employee must file the grievance within 20 calendar days of receiving the notice of the appointing authority's decision to impose discipline. After exhausting the Employee Grievance Procedure, if the employee is still dissatisfied, the employee must file his/her appeal with the Civil Service Commission within 20 calendar days of the delivery of the Step Three grievance response. See also SMC 4.04.240, 4.04.260, and Personnel Rules 1.3

Represented Civilian Employees: Grievance and arbitration may be an alternative appeal process. Consult the applicable contract or a union representative to determine availability, notice periods, and details of process. Binding arbitration is available as an alternative only and not in addition to an appeal to the Civil Service Commission. SMC 4.04.260C

CITY OF SEATTLE
DEPARTMENT OF POLICE

OFFICE OF THE CHIEF

March 11, 2015

TERMINATION ORDER NO. 2015-01

I. Termination:

NAME AND SERIAL NO.

RANK

ACTION:

**EFFECTIVE
DATE**

Leutz, Peter #6876

Sworn

Termination

March 12, 2015

By Order of:



Kathleen O'Toole
Chief of Police